

MINUTES

EAU CLAIRE CITY COUNCIL LEGISLATIVE MEETING

Tuesday, October 23, 2018

Eau Claire County Board Room

4:00 p.m.

PLEDGE OF ALLEGIANCE AND ROLL CALL

Council Vice President/Acting President Werthmann called the meeting to order. The following members were present: Council Members Emily Anderson, Kate Beaton, Emily Berge, Jill Christopherson, Catherine Emmanuelle, Jeremy Gragert, David Strobel, Terry Weld and Andrew Werthmann. Council Members absent: Michael Xiong.

CONSENT AGENDA

The Council considered a resolution adopting the Consent Agenda for the following items of routine business on Tuesday, October 23, 2018:

- Adopting the Consent Agenda.
- Approving the Minutes of the October 9, 2018 Council Legislative Session.
- Authorizing Race Day Events to conduct the Run Santa Run 5K on Sunday, December 2, 2018, at Phoenix Park and along city trails and streets.
- Granting new bartender licenses.
- Granting a Temporary Class B Fermented Malt Beverage and Temporary Class B Wine license to Eau Claire Area Hmong Mutual Assistance Association, Inc., Pao Xiong, President, on Saturday, November 10, 2018, at 3456 Craig Road, YMCA Sports Center, for the 30th Eau Claire Hmong Annual New Year.
- Granting a Class B Fermented Malt Beverage and Class C Wine license to Pan Asia Kitchen, LLC, d/b/a Pan Asia Kitchen, 2633 Birch Street, Phoua Kue, Agent.
- Granting a Combination Class A Fermented Malt Beverage and Intoxicating Liquor license to Eau Claire Area Convention & Visitor Bureau, Inc., d/b/a Visit Eau Claire, 128 Graham Avenue, Suite 151, Kelly Schwoch, Agent.
- Authorizing the Community Services Department to submit an application to the Department of Natural Resources for an urban wildlife damage abatement and control grant.
- Authorizing the acceptance and dedication of a section of land along Schwenk Street as right-of-way.
- Introduction of a resolution amending the City of Eau Claire Schedule of Fees and Licenses, effective January 1, 2019.

Thereupon a motion was offered by Council Member Strobel and seconded by Council Member Anderson “to adopt the consent resolution.” Said motion passed by unanimous vote.

PROPERTY TRANSACTION

The City Council considered a resolution authorizing the sale of 559 N. Hastings Way (former site of Fire Station No. 10), Parcel 10-0526. Thereupon a motion was offered by Council Member Emmanuelle and seconded by Council Member Weld “to adopt the resolution.” Said motion passed by unanimous vote.

BIDS & PROPOSALS

The City Council considered a resolution awarding a contract for Procurement No. 2018-59, Eau Claire Fire Station No. 5 Locker Room Remodel. Thereupon a motion was offered by Council Member Beaton and seconded by Council Member Gragert “to adopt the resolution.” Said motion passed by unanimous vote.

BUDGET APPROPRIATIONS

The City Council considered a resolution authorizing budget appropriations for fiscal year 2018. Thereupon a motion was offered by Council Member Berge and seconded by Council Member Christopherson “to adopt the resolution.” Said motion passed by unanimous vote.

GRANTS

The City Council considered a resolution accepting and appropriating Edward Byrne Memorial Justice Assistance Grant (JAG) formula program funds from the US Department of Justice, Office of Justice Programs, Bureau of Justice Assistance. Thereupon a motion was offered by Council Member Strobel and seconded by Council Member Anderson “to adopt the resolution.” Said motion passed by unanimous vote.

The City Council considered a resolution accepting and appropriating a 2018 Bulletproof Vest Partnership Grant from the Bureau of Justice Assistance. Thereupon a motion was offered by Council Member Emmanuelle and seconded by Council Member Weld “to adopt the resolution.” Said motion passed by unanimous vote.

STREET VACATION

The City Council considered a resolution vacating a portion of Mall Drive from south of Business Highway 53 to north of the property line of Lot 1, CSM No. 2602. Thereupon a motion was offered by Council Member Beaton and seconded by Council Member Gragert “to adopt the resolution.” Said motion passed by unanimous vote.

ALLEY IMPROVEMENT

Council Member Weld abstained and left Council Chambers.

The City Council considered a resolution accepting a petition for the improvement of the alley east of Rust Street, Gilbert Avenue to the north. Thereupon a motion was offered by Council Member Beaton and seconded by Council Member Gragert “to adopt the resolution.” Said motion passed by the following vote: Aye: Council Members Anderson, Beaton, Berge, Christopherson, Emmanuelle, Gragert, Strobel and Werthmann. Abstained: Council Member Weld.

Council Member Weld returned to Council Chambers.

APPOINTMENTS

The City Council considered a resolution appointing the City of Eau Claire voting delegates for the 2018 National League of Cities Conference. Council Member Gragert nominated himself as the voting delegate and Council Member Anderson nominated herself as the alternate voting delegate. No objections were voiced. Thereupon a motion was offered by Council Member Berge and seconded by Council Member Christopherson “to adopt the resolution” with insertions. Said motion passed by unanimous vote.

Council Member Anderson left Council Chambers.

The City Council considered a resolution approving appointments and reappointments to various Boards, Committees and Commissions. Thereupon a motion was offered by Council Member Beaton and seconded by Council Member Werthmann “to adopt the resolution.” Said motion passed by the following vote: Aye: Council Members Beaton, Berge, Christopherson, Emmanuelle, Gragert, Strobel, Weld and Werthmann. Absent: Council Member Anderson.

Council Member Anderson returned to Council Chambers.

EXPRESS BASEBALL LEASE

The City Council considered a resolution approving the Carson Park Baseball Field lease/use agreement extension between the City of Eau Claire, Eau Claire Baseball, L.L.C., and Northwoods League, Inc. Thereupon a motion was offered by Council Member Anderson and seconded by Council Member Strobel “to adopt the resolution.” Said motion passed by unanimous vote.

RESIDENT PUBLIC FORUM

The City Council considered a resolution amending the City of Eau Claire Handbook for Public Officials to include guidelines for Resident Public Forums at Monday City Council Meetings. Thereupon a motion was offered by Council Member Berge and seconded by Council Member Christopherson “to adopt the resolution.”

Thereupon a motion was offered by Council Member Strobel and seconded by Council Member Weld “to amend the resolution” by adding the following to the first NOW, THEREFORE, BE IT RESOLVED clause: “All public discussion to be limited to items noticed on the Tuesday agenda.” Said motion failed by the following vote: Aye: Council Member Strobel. Nay: Council Members Anderson, Beaton, Berge, Christopherson, Emmanuelle, Gragert, Weld and Werthmann.

Thereupon a motion was offered by Council Member Weld and seconded by Council Member Emmanuelle “to amend” by adding the following to the end of the 2nd bullet point of the proposed guidelines for the Handbook for Public Officials:

“Your District City Council Member will be your follow-up contact regarding any concerns, comments or ideas that you wish to express during this forum. Please check the **Yes or No** box on the sign-up sheet if you **Do or Do Not** request a follow-up response.” and by changing the last sentence of the proposed guidelines for the Handbook for Public Officials to the following:

“The Resident Public Forum is an additional means, but direct phone or email contact to a City Council Member or City Manager is welcomed and encouraged.” Said motion passed by unanimous vote.

Thereupon a motion was offered by Council Member Gragert and seconded by Council Member Beaton “to amend” by changing the title from “Resident Public Forum” to “Public Comment Period.” Said motion passed by unanimous vote.

Thereupon a motion was offered by Council Member Emmanuelle and seconded by Council Member Beaton “to amend” by replacing the proposed guidelines for the Handbook for Public Officials to the language used by Eau Claire County. Said motion failed by the following vote: Aye: Council Member Emmanuelle. Nay: Council Members Anderson, Beaton, Berge, Christopherson, Gragert, Strobel, Weld and Werthmann.

Thereupon a motion was offered by Council Member Emmanuelle and seconded by Council Member Anderson “to amend” by striking the word “decorum” from the third paragraph of the proposed guidelines for the Handbook for Public Officials. Said motion passed by the following vote: Aye: Council Members Anderson, Beaton, Berge, Christopherson, Emmanuelle, Gragert, Weld and Werthmann. Nay: Council Member Strobel.

A vote was then taken “to adopt the resolution as amended.” Said motion passed by the following vote: Aye: Council Members Anderson, Beaton, Berge, Christopherson, Emmanuelle, Gragert, Weld and Werthmann. Nay: Council Member Strobel.

PARKING

The Council considered an ordinance amending Table IX of the City Code of Ordinances, entitled "Parking During Specified Hours," by amending time restrictions on Briggs Avenue. Thereupon a motion was offered by Council Member Emmanuelle and seconded by Council Member Weld "to adopt the ordinance." Said motion passed by unanimous vote.

KEEPING OF HONEY BEES

The Council considered an ordinance amending Chapter 6.14, entitled "Keeping of Honey Bees" of the Code of Ordinances of the City of Eau Claire. Thereupon a motion was offered by Council Member Beaton and seconded by Council Member Gragert "to adopt the ordinance." Thereupon a motion was offered by Council Member Strobel and seconded by Council Member Christopherson "to postpone" to the January 21 & 22, 2019 Council Meetings, with a Study Issue at the January 7, 2019 Council Meeting. Said "motion to postpone" passed by unanimous vote.

PENALTIES FOR TRAFFIC VIOLATIONS

The Council considered an ordinance amending section 10.44.070, entitled "Late Payment Penalty" of the City Code of Ordinances related to Penalties for Traffic Violations. Thereupon a motion was offered by Council Member Beaton and seconded by Council Member Gragert "to adopt the ordinance." Said motion passed by unanimous vote.

PAY PLAN & PRACTICES

The City Council had first reading on an ordinance amending the City of Eau Claire Pay Plan and Practices.

SEWERAGE SERVICE CHARGE

The City Council had first reading on an ordinance amending Chapter 15.04 of the City Code of Ordinances entitled "Sewerage Service Charge" to increase the sewer user charges as proposed in the 2019 Operating Budget.

ANNEXATION

The City Council had first reading on an ordinance in accordance with Section 66.0217 Wisconsin Statutes, annexing to the City of Eau Claire and particularly to the 6th Assessment Ward, 4th Aldermanic District, being a part of the Southeast ¼ of the Northwest ¼ of Section 24-27-10, Town of Union, Eau Claire County, as shown on Planning Drawing No. 18-4A (Schreiner Petition).

ALDERMANIC DISTRICTS

The City Council had first reading on a charter ordinance relating to the City Council and the reapportionment of the Aldermanic Districts of the City of Eau Claire.

PARKS-PUBLIC GROUNDS

The City Council had first reading on an ordinance amending Chapter 9.76 entitled “Parks-Public Grounds” of the City Code of Ordinances.

ADJOURNMENT

A motion was offered by Council Member Berge and seconded by Council Member Christopherson “that this meeting does now adjourn without objection.” Said motion passed by unanimous consent.

Adjournment: October 23, 2018

Time: 6:02 p.m.

ATTEST:

/s/ Andrew F. Werthmann
Vice President/Acting President

/s/ Carrie L. Riepl
City Clerk